

U.S. Appln. No.: 10/524,266  
Atty. Docket No.: P70231US0

**Amendments to the Drawings**

In accordance with 37 CFR § 1.121(d)(1), attached hereto are two annotated sheets depicting changes made to drawing Figures 1 and 2. The attached Figures 1 and 2 have been amended as required by the Office Action to add the "Prior Art" legend.

Also attached hereto are two replacement sheets of drawings, incorporating the changes made to Figures 1 and 2, which replace the drawing figures originally submitted with the application.

**Remarks**

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, drawing Figures 1 and 2, and claims 1-37 have been amended. Claims 1-37 remain pending in the application. Claim 1 is independent. The objection and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). Drawing Figures 1 and 2 have been amended to correct the informality described above in the "Amendments to the Drawings" section. The claims have been amended in response to the rejection under 35 U.S.C. § 112, second paragraph, and to more fully comply with U.S. practice.

Entry of each of the amendments is respectfully requested.

35 U.S.C. § 103(a) - Kolbe and Paridis

Claims 1-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,913,764 to Kolbe et al. (hereinafter "Kolbe") in view of U.S. Patent No. 5,647,948 to

Paridis. The Office Action acknowledges that Kolbe does not disclose a gluer, but asserts that Paridis discloses a gluer "in which glue is exposed to a pressure that is higher than the ambient pressure."

The rejection of claims 1-37 under § 103(a) over Kolbe and Paridis is respectfully traversed. The combined disclosures of Kolbe and Paridis would not have rendered obvious Applicant's claimed invention.

The combined disclosures of Kolbe and Paridis do not teach or suggest all of Applicant's claim features. Applicant's claim 1 defines a device that includes, *inter alia*, a "gluer equipped with at least one glue reservoir or at least one glue duct in which glue is exposed to a pressure that is higher than the ambient pressure." As indicated above, the Office Action acknowledges that Kolbe fails to teach Applicant's claimed gluer feature.

And, regardless of what Paridis may disclose with regard to a gluer, the disclosure of Paridis does not rectify the above-described deficiencies of Kolbe. Contrary to the examiner's assertion, Paridis neither discloses nor suggests a gluer "in which glue is exposed to a pressure that is higher than the ambient pressure." Instead, Paridis discloses the following (column 2, line 58, through column 3, line 7):

FIG. 1 shows that the device 1 comprises a material guide 14 for guiding the strip-shaped material or the bottom

support strip 4 in its longitudinal direction (movement direction according to the arrow 16 shown in the figure) as well as a transport device 18 that directly applies a driving force to the bottom support strip 4 so as to transport the bottom support strip relative to a device 20 for applying the adhesive substance that is arranged vertically on top of an essentially horizontal area of movement. This application device 20 comprises a nozzle arrangement 22 consisting of a row of outlet nozzles 24 for the adhesive substance that are distributed over the width of the material strip or the bottom support strip 4. These outlet nozzles discharge a *freely flowing adhesive substance*, in particular a hot-melt adhesive, *which is applied downward due to gravity* to the back 10 of the bottom support strip 4 in order to form the beads 2 (emphasis added).

Thus, Paridis discloses that the adhesive simply flows downward due to gravity. Paridis, therefore, fails to meet Applicant's claimed feature of a gluer "in which glue is exposed to a pressure that is higher than the ambient pressure." Thus, the combined disclosures of Kolbe and Paridis do not teach or suggest all of Applicant's claim features.

Second, there is no suggestion or motivation in either Kolbe or Paridis that would have led one to select the references and combine them in a way that would produce the invention defined by any of Applicant's pending claims. Paridis is directed to a "Device for Applying an Adhesive Substance in Particular on Carpet Bottom Support Strips," not a method of manufacturing bags as disclosed by Kolbe. Paridis has an object of "meter[ing] in a superior fashion without causing disadvantageous changes of the quantity applied in the individual tracks (beads)" (column 1, lines

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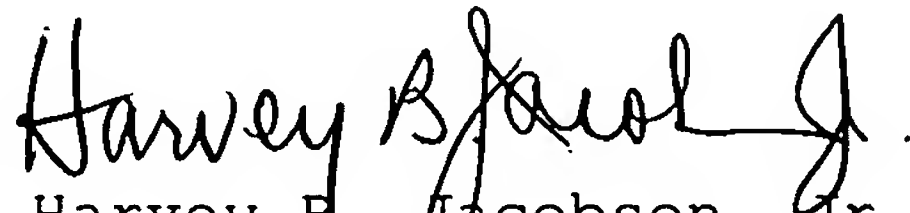
49-54). Paridis thus feeds the adhesive by gravity. There is simply no suggestion or motivation in either Kolbe or Paridis that would have led one to select the references and combine them, let alone in a way that would produce Applicant's claimed invention.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-37 under § 103(a) based on Kolbe and Paridis are respectfully requested.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

JACOBSON HOLMAN PLLC

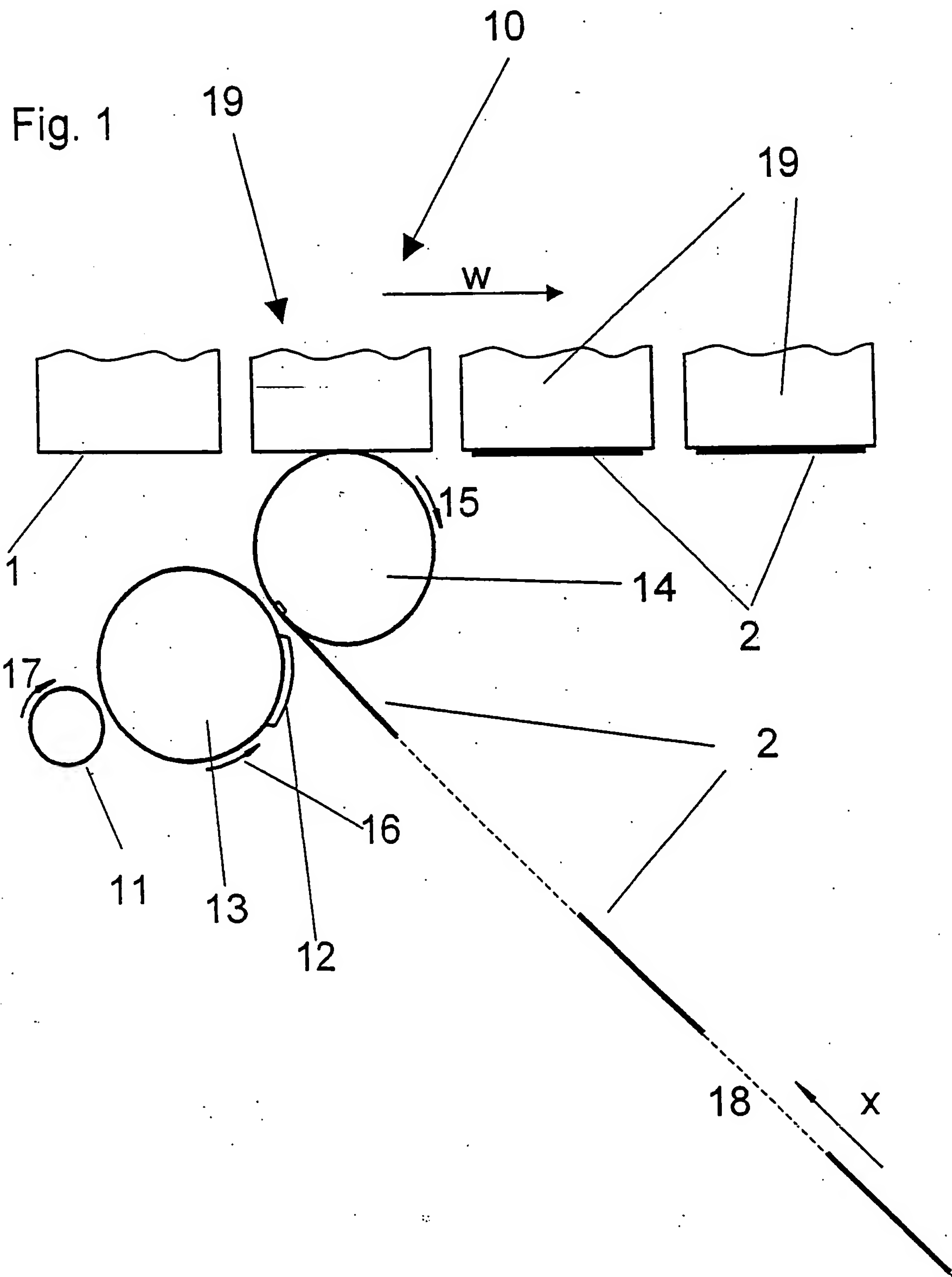
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2/12 PRIOR ART

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